

1 MICHAEL C. ORMSBY
2 United States Attorney
3 Eastern District of Washington
4 Jared C. Kimball
5 Aine Ahmed
6 Assistant United States Attorneys
7 Post Office Box 1494
8 Spokane, WA 99210-1494
9 Telephone: (509) 353-2767

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

FEB 20 2014

SEAN F. McAVOY, CLERK
SPOKANE, WASHINGTON DEPUTY

UNITED STATES DISTRICT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

[REDACTED]

SAM G.

WARD,

[REDACTED]

Defendants.

2:CR-14-21-RMP

INDICTMENT

21 U.S.C. § 848
Continuing Criminal
Enterprise (Count 1)

21 U.S.C. § 846
Conspiracy to Distribute a
Controlled Substance (Count 2)

21 U.S.C. 846
Conspiracy to Distribute
Phencyclidine (Count 3)

21 U.S.C. § 846
Conspiracy to Possess with Intent to
Distribute a Controlled Substance
(Counts 4-5)

21 U.S.C. § 841(a)(1)
Distribution of a Controlled
Substance (Counts 6-7, 9-12, 14-18)

INDICTMENT – 1

Indictment

1 21 U.S.C. § 841(a)(1)
2 Distribution of a Schedule I
3 Controlled Substance, in the Form of
4 Ecstasy (Count 8)
5 21 U.S.C. § 841(a)(1)
6 Distribution of Phencyclidine
7 (Count 13)
8 21 U.S.C. § 853
9 Criminal Forfeiture

10 The Grand Jury Charges:

11 COUNT 1

12 That beginning on a date unknown, but by on or about June 22, 2013, the
13 exact date being unknown to the Grand Jury, and continuously thereafter up
14 through and including February 19, 2014, within the Eastern District of
15 Washington, and elsewhere, [REDACTED] and
16 [REDACTED] Defendants herein, did unlawfully, knowingly and
17 intentionally engage in a continuing criminal enterprise in that the Defendants
18 unlawfully, knowingly and intentionally violated 21 U.S.C. §§ 841(a)(1), 843(b),
19 846, which violations include, but are not limited to Conspiracy to Distribute a
20 Controlled Substance alleged in Count 3, and the substantive violations alleged in
21 Counts 3-5, 7-9, 12-13, which Counts and Overt Acts are re-alleged and
22 incorporated herein by reference as though fully set forth in this Count, and which
23 violations were part of a continuing series of violations of the Controlled
24 Substances Act, 21 U.S.C. § 801, et seq., undertaken by the Defendants, in concert
25 with at least five other persons with respect to whom, occupied positions of
26 organizer, supervisor, and any position of management, and from which such
27 continuing series of violations the Defendants obtained substantial income and
28 resources; all in violation of 21 U.S.C. § 848(a), (c).

INDICTMENT – 2

Indictment1

1 COUNT 2
2

3 That beginning on a date unknown, but by no later than on or about July 18,
4 2012, the exact date being unknown to the Grand Jury, and continuously thereafter
5 up through and including February 19, 2014, in the Eastern District of Washington
6 and elsewhere, [REDACTED],
7 [REDACTED]
8 [REDACTED] SAM G.
9 WARD, [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED], and others not
16 known to the Grand Jury, did knowingly and intentionally combine, conspire,
17 confederate and agree together with each other and with other persons, both known
18 and unknown to the Grand Jury, to commit the following offense against the
19 United States, to wit: conspiracy to distribute a mixture or substance containing a
20 detectable amount of oxycodone hydrochloride, an opiate and Schedule II
21 controlled substance, pursuant to 21 U.S.C. § 812(c), specifically in the form of
22 pills containing oxycodone hydrochloride, in violation of 21 U.S.C. § 841(a)(1),
23 (b)(1)(C), all in violation of 21 U.S.C. § 846.
24

25 COUNT 3
26

27 That beginning on a date unknown, but on or about October 14, 2013, the
28 exact date being unknown to the Grand Jury, and continuously thereafter up
through and including February 19, 2014, in the Eastern District of Washington

1 and elsewhere, [REDACTED]
2 [REDACTED]
3 [REDACTED] and SAM G. WARD, and others not known to the Grand

4 Jury, did knowingly and intentionally combine, conspire, confederate and agree
5 together with each other and with other persons, both known and unknown to the
6 Grand Jury, to commit the following offense against the United States, to wit:
7 distribution of Phencyclidine (“PCP”), a Schedule II controlled substance, in
8 violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2, all in violation of
9 21 U.S.C. § 846.

10 COUNT 4
11

12 That beginning on a date unknown, but on or about October 30, 2013, the
13 exact date being unknown to the Grand Jury, and continuously thereafter up
14 through and including November 1, 2013, in the Eastern District of Washington
15 and elsewhere, [REDACTED] and others not known to the Grand Jury,
16 did knowingly and intentionally combine, conspire, confederate and agree together
17 with each other and with other persons, both known and unknown to the Grand
18 Jury, to commit the following offense against the United States, to wit: possession
19 with intent to distribute a mixture or substance containing a detectable amount of
20 oxycodone hydrochloride, an opiate and Schedule II controlled substance, listed at
21 21 U.S.C. § 812(c), specifically in the form of pills containing oxycodone
22 hydrochloride, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2,
23 all in violation of 21 U.S.C. § 846.

24 COUNT 5
25

26 That beginning on a date unknown, but by on or about December 17, 2013,
27 the exact date being unknown to the Grand Jury, and continuously thereafter up
28 through and including December 19, 2013, in the Eastern District of Washington
and elsewhere, [REDACTED], [REDACTED]

1 [REDACTED]
2 [REDACTED] and [REDACTED]
3 [REDACTED], and others not known to the Grand Jury, did knowingly and intentionally
4 combine, conspire, confederate and agree together with each other and with other
5 persons, both known and unknown to the Grand Jury, to commit the following
6 offense against the United States, to wit: possession with intent to distribute a
7 mixture or substance containing a detectable amount of oxycodone hydrochloride,
8 an opiate and Schedule II controlled substance, listed at 21 U.S.C. § 812(c),
9 specifically in the form of pills containing oxycodone hydrochloride, in violation
10 of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2, all in violation of 21 U.S.C.
11 § 846.
12

13 COUNT 6
14

15 That on or about March 24, 2013, in the Eastern District of Washington,
16 [REDACTED], Defendant herein, did knowingly and intentionally
17 distribute a mixture or substance containing a detectable amount of oxycodone
18 hydrochloride, an opiate and Schedule II controlled substance, listed at 21 U.S.C. §
19 812(c), specifically in the form of pills containing oxycodone hydrochloride, in
20 violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

21 COUNT 7
22

23 That on or about June 25, 2013, in the Eastern District of Washington,
24 [REDACTED], Defendant herein, did knowingly and intentionally
25 distribute a mixture or substance containing a detectable amount of oxycodone
26 hydrochloride, an opiate and Schedule II controlled substance, listed at 21 U.S.C. §
27 812(c), specifically in the form of pills containing oxycodone hydrochloride, in
28 violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

1 COUNT 8

2 That on or about June 25, 2013, in the Eastern District of Washington,
3 [REDACTED] did knowingly and intentionally distribute a mixture or
4 substance containing a detectable amount of 3, 4-
5 methylenedioxymethamphetamine, which is commonly known as MDMA, in the
6 form of ecstasy pills, a Schedule I controlled substance, in violation of 21 U.S.C. §
7 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

8 COUNT 9

9 That on or about July 18, 2013, in the Eastern District of Washington,
10 [REDACTED] Defendant herein, did knowingly and intentionally
11 distribute a mixture or substance containing a detectable amount of oxycodone
12 hydrochloride, an opiate and Schedule II controlled substance, listed at 21 U.S.C. §
13 812(c), specifically in the form of pills containing oxycodone hydrochloride, in
14 violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

16 COUNT 10

17 That on or about August 7, 2013, in the Eastern District of Washington,
18 [REDACTED] and [REDACTED], Defendant herein, did
19 knowingly and intentionally distribute a mixture or substance containing a
20 detectable amount of oxycodone hydrochloride, an opiate and Schedule II
21 controlled substance, listed at 21 U.S.C. § 812(c), specifically in the form of pills
22 containing oxycodone hydrochloride, in violation of 21 U.S.C. § 841(a)(1),
23 (b)(1)(C), and 18 U.S.C. § 2.

24 COUNT 11

25 That on or about August 30, 2013, in the Eastern District of Washington,
26 [REDACTED] Defendant herein, did knowingly and intentionally distribute a
27 mixture or substance containing a detectable amount of oxycodone hydrochloride,
28 an opiate and Schedule II controlled substance, listed at 21 U.S.C. § 812(c),

1 specifically in the form of pills containing oxycodone hydrochloride, in violation
2 of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

3 COUNT 12

4 That on or about October 3, 2013, in the Eastern District of Washington,

5 [REDACTED] Defendant herein, did knowingly and intentionally
6 distribute a mixture or substance containing a detectable amount of oxycodone
7 hydrochloride, an opiate and Schedule II controlled substance, listed at 21 U.S.C. §
8 812(c), specifically in the form of pills containing oxycodone hydrochloride, in
9 violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

10 COUNT 13

11 That on or about October 17, 2013, in the Eastern District of Washington,

12 [REDACTED] and [REDACTED], Defendants herein, did
13 knowingly and intentionally distribute Phencyclidine (“PCP”), a Schedule II
14 controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18
15 U.S.C. § 2.

16 COUNT 14

17 That on or about October 23, 2013, in the Eastern District of Washington,

18 [REDACTED] Defendant herein, did knowingly and intentionally
19 distribute a mixture or substance containing a detectable amount of oxycodone
20 hydrochloride, an opiate and Schedule II controlled substance, listed at 21 U.S.C. §
21 812(c), specifically in the form of pills containing oxycodone hydrochloride, in
22 violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

23 COUNT 15

24 That on or about November 5, 2013, in the Eastern District of Washington,

25 [REDACTED] Defendant herein, did knowingly and intentionally
26 distribute a mixture or substance containing a detectable amount of oxycodone
27 hydrochloride, an opiate and Schedule II controlled substance, listed at 21 U.S.C. §
28

1 812(c), specifically in the form of pills containing oxycodone hydrochloride, in
2 violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

3 COUNT 16

4 That on or about November 14, 2013, in the Eastern District of Washington,
5 [REDACTED], Defendant herein, did knowingly and intentionally
6 distribute a mixture or substance containing a detectable amount of oxycodone
7 hydrochloride, an opiate and Schedule II controlled substance, listed at 21 U.S.C. §
8 812(c), specifically in the form of pills containing oxycodone hydrochloride, in
9 violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

10 COUNT 17

11 That on or about November 22, 2013, in the Eastern District of Washington,
12 [REDACTED] Defendant herein, did knowingly and intentionally distribute
13 a mixture or substance containing a detectable amount of oxycodone
14 hydrochloride, an opiate and Schedule II controlled substance, listed at 21 U.S.C. §
15 812(c), specifically in the form of pills containing oxycodone hydrochloride, in
16 violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

17 COUNT 18

18 That on or about December 13, 2013, in the Eastern District of Washington,
19 [REDACTED] and [REDACTED] Defendant herein, did knowingly
20 and intentionally distribute a mixture or substance containing a detectable amount
21 of oxycodone hydrochloride, an opiate and Schedule II controlled substance, listed
22 at 21 U.S.C. § 812(c), specifically in the form of pills containing oxycodone
23 hydrochloride, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS

Pursuant to 21 U.S.C. § 853, upon conviction of an offense of violation of 21 U.S.C. §§ 841(a)(1) and 846, DEANDRE S. GAITHER, [REDACTED]

SAM G. WARD,

shall forfeit to the United States of America, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense(s) and any property used or intended to be used, in any manner or part, to commit or to facilitate the commission of the offense(s).

If any forfeitable property, as a result of any act or omission of the Defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided

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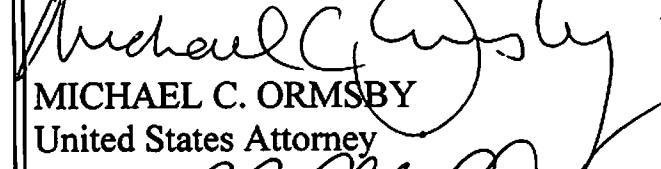
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without difficulty; the United States of America shall be entitled to forfeiture of
substitute property pursuant to 21 U.S.C. § 853(p).
7

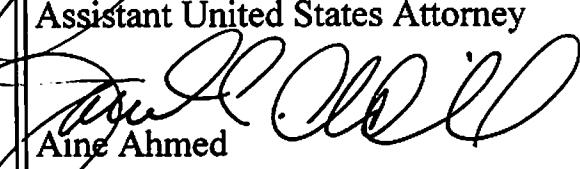
8 DATED this 19th day of February, 2014.
9

10 A TRUE BILL
11

12 
Foreperson 

13 Michael C. Ormsby
14 MICHAEL C. ORMSBY
United States Attorney

15 
Jared C. Kimball
16 Assistant United States Attorney

17 
Aine Ahmed
18 Assistant United States Attorney